



Denying the Issuance of a Certificate of Appropriateness to Orange and Rockland Utilities (O & R) for a Project Known as the “Little Tor Substation”

Whereas, the Town Board of the Town of Clarkstown determined that South Mountain Road in the Town of Clarkstown should be protected by reason of its significance to the history of the town, county, state and nation, and

Whereas, Orange and Rockland Utilities (O & R) submitted a request for a certificate of appropriateness with regard to an application for site plan for a project known as the “Little Tor Substation” (Tax Map 34.5-1-5&6) located on the southeast corner of North Little Tor and South Mountain Road, New City, New York. The proposed project involves the construction of a new electrical substation, upgrade of existing gas regulators, erection of two (2) steel utility poles to replace an existing utility tower, the relocation of existing cellular communications equipment from the existing tower to one of the new poles and construction of a driveway to the project from Little Tor Road and removal of a driveway along South Mountain Road. The Town Board referred this application to the Architecture Historic Review Board (AHRB) and the Superintendent of Highways for their review and comments pursuant to Town Code Section 153 because South Mountain Road is an “historic road,” and

Whereas, Architecture Historic Review Board held two public meetings on February 25, 2019 and April 15, 2019, to hear applicant’s representatives and members of the public concerning the project. The public hearing was closed, allowing one week for anyone to submit written comments concerning the application to the AHRB, and

Whereas, the applicant proposes closing the South Mountain Road driveway, installing new vegetation in this area to “shield the site from view” and the existing stone wall would be extended along the road for approximately 35 feet as recommended by Ron Haelen, the Town’s RLA, Environmental Resource Specialist. The proposed vegetation would have a maximum height of 10 feet because the planting would be located under O & R’s utility right of way. The applicant indicated that additional planting further back on the site, “is not possible since it will impede access to the O & R ROW and there are a several below ground utilities within this area that could be impacted by excavation and future root intrusion.” The applicant provided photo simulation of what the site would look like with the new vegetation installed. (figures 12c and 13c). The project would be constructed in a wooded area which will result in the loss of mature trees. The large substation would be over 3 acres in size with at least 3 transformers located off the “Historic South Mountain Road” which would be visible even after the proposed landscaping was implemented. The proposed facilities would have a strong visual impact on

the residential area and the historic road and would detract from the character, aesthetic and architectural resources of the neighborhood. The proposed large substation that is interconnected with transmission lines would be quite industrial in nature, and

Whereas, Section 153-7(D) of Chapter 153 of the Town of Code of The Town of Clarkstown mandates the issuance of a certificate of appropriateness before work can commence on any designated historic road or portion thereof, this board has to consider the effects of the proposed work in altering or affecting the historic/scenic feature and qualities of the road,

“Changes in existing environment along either or both sides of the road corridor, including any additional or new construction of physical structure, change to the natural resource base, including significant removal of flora, change in topography or installation of permanent signage which would have a negative impact on the historic road,” and

Whereas, the proposed substation project is not compatible with the residential neighborhood of South Mountain Road that is rich in historical, aesthetic and architectural resources and will have negative visual impact on “Historic South Mountain Road,” and

Whereas, the AHRB recommended disapproving the issuance of the certificate of appropriateness to O&R;

Now therefore, be it

Resolved, that Town Board hereby denies the issuance of a certificate of appropriateness for the Substation to remove/close the driveway along South Mountain Road and denies the issuance of a certificate of appropriateness for the entire substation project because it is not in keeping with the preservation of Clarkstown’s rich historical, aesthetic and architectural resources and the intent of Town Code 153-3c to preserve the quality of historic road corridors.

TB - 05-28-19 - Certificate of Appropriateness - O&R - Little Tor Substation - sk

TMM